

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00004-MR-DSC**

CHARLES T. LEE,)
)
 Plaintiff,)
)
 vs.)
)
)
 NORFOLK SOUTHERN)
 RAILWAY COMPANY,)
)
 Defendant.)
)
)
 _____)

ORDER

THIS MATTER is before the Court on remand from the Court of Appeals for the Fourth Circuit. Lee v. Norfolk So. Ry. Co., No. 14-1585 (4th Cir. 2015).

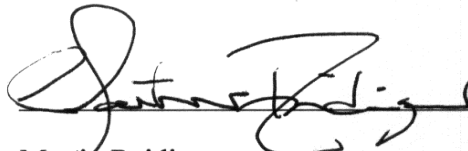
The Fourth Circuit reversed this Court's order granting summary judgment in favor of the Defendant and remanded this matter for further proceedings. This Court's order, however, addressed only one of the issues raised by the Defendant in its summary judgment motion and argued by the parties at the summary judgment motion hearing. In light of the Fourth Circuit's reversal and remand, the Court will revisit the Defendant's motion for summary judgment and address the other arguments raised therein.

Before ruling on the motion, however, the Court will allow the parties the opportunity to supplement their briefing to address any new authority, if any, that may have been decided since the filing of the original briefs.

IT IS, THEREFORE, ORDERED that the Defendant shall have fourteen (14) days from the entry of this Order within which to file a supplemental brief in support of its motion for summary judgment. The Plaintiff shall have fourteen (14) days from the filing of the Defendant's supplemental brief to file a response. A supplemental reply brief shall not be permitted. Such supplemental briefs shall be in 14-point font and shall not exceed five (5) pages.

IT IS SO ORDERED.

Signed: October 22, 2015


Martin Reidinger
United States District Judge

